

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **John Hancock Life Insurance Company.** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 01-02-009  
 ) File No. 2141 IV

**STIPULATION**

The Director of the Department of Consumer and Business Services (Director) commences the above entitled administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take action against John Hancock Life Insurance Company (JHLIC) for violating the Oregon Insurance Code or related rules.

JHLIC enters into this Stipulation to conclude this proceeding without further administrative or judicial proceeding pursuant to ORS 183.415(5) and related rules. The person signing this Stipulation on behalf of JHLIC represents that he or she is so authorized by JHLIC.

JHLIC waives the right to receive a notice of proposed action, to receive a notice of rights and procedures in contested cases, to have a hearing, to be represented by an attorney at the hearing, and to judicial review of the Final Order. JHLIC admits and agrees to the following facts, conclusions, and action.

**Facts and Conclusions**

Licensing

JHLIC has been licensed in Oregon as a foreign insurer since 5/15/24. JHLIC 's Insurance Division company number is 1556 and its National Association of Insurance Commissioners (NAIC) identification number is 065099. Prior to 2/1/00, JHLIC was known as John Hancock Mutual Life Insurance Company. JHLIC 's main administrative office is located at PO Box 111, Boston MA 02117-0111. Its telephone number is 617-572-6000.

### Failure to Notify Existing Insurer of Replacement of Long Term Care Policy

JHLIC violated Oregon Administrative Rules (OAR) 836-052-0615(3)(a) in three instances by engaging in the following conduct:

1. On or about 3/8/99, JHLIC received an application dated 3/4/99 by Martha F. Leaming (Leaming) of Salem, Oregon. The application indicated that Leaming intended to replace an existing long term care insurance policy issued by Equitable Life & Casualty Insurance Company (Equitable) with the long term care insurance policy being applied for and to be issued by JHLIC. JHLIC did not notify Equitable that Leaming intended to replace her Equitable policy with the JHLIC policy.

Instead, on or about 3/15/99, JHLIC erroneously notified Equitable Life Insurance Company of Iowa, a different insurer than Equitable, that Leaming intended to replace her Equitable policy with the JHLIC policy.

2. On or about 4/29/99, JHLIC received an application dated 4/26/99 by Emma Schnebly (Schnebly) of Salem, Oregon. The application indicated that Schnebly intended to replace an existing long term care insurance policy issued by Equitable with the long term care insurance policy being applied for and to be issued by JHLIC. JHLIC did not notify Equitable that Schnebly intended to replace her Equitable policy with the JHLIC policy. Instead, on or about 5/5/99, JHLIC erroneously notified Equitable Life Assurance Society of the United States, a different insurer than Equitable, that Schnebly intended to replace her Equitable policy with the JHLIC policy.

3. On or about 8/4/00, JHLIC received an application dated 7/31/00 by Leo Lester Browne, of Milwaukie, Oregon. The application indicated that Browne intended to replace an existing long term care insurance policy issued by Equitable with the long term care insurance policy being applied for and to be issued by JHLIC. JHLIC did not notify Equitable that Schnebly intended to replace her Equitable policy with the JHLIC policy. Instead, on or about 8/7/00, JHLIC erroneously notified United Equitable Life Insurance Company, a different insurer than Equitable, that Browne intended to replace his Equitable policy with the JHLIC policy.

**Action**

JHLIC shall pay a civil penalty of \$3,000 pursuant to ORS 731.988. Payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. Payment shall be delivered or mailed to the Insurance Division at 350 Winter Street NE, Room 440, Salem, OR 97301-3883. Payment shall be received by the Insurance Division by the date of the Final Order.

Dated June 13, 2001

/s/ Barry J. Rubenstein  
Barry J. Rubenstein  
Secretary, Vice President, and Counsel  
John Hancock Life Insurance Company

**FINAL ORDER**

The Director makes the following final decision in this proceeding in accordance with ORS 731.248 and 183.415(5) and related rules.

The Director adopts, and incorporates herein by this reference, the Facts, Conclusions, and Action in the above Stipulation as the Findings of Fact, Conclusions of Law, and Order, respectively, of this Final Order.

Dated June 28, 2001

/s/ Mary C. Neidig  
Mary C. Neidig  
Director  
Department of Consumer and Business Services

//  
//  
//